United Nations A/HRC/32/35/Add.4*

General Assembly

Distr.: General
5 April 2016

Original: English

Human Rights Council
Thirty-second session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Honduras

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, on his mission to Honduras from 23 to 27 November 2015.

The visit of the Special Rapporteur focused on displacement caused by generalized violence and organized criminal gangs, which is an invisible epidemic affecting whole communities in Honduras, including women and children, who fall prey to gangs known as *maras*. The only option for many people is to leave their homes. Recognition of the internal displacement crisis by the Government is an important step; however, it must strengthen measures to stop and prevent internal displacement and put in place overdue support, protection and assistance measures for internally displaced persons who to date have had to fend for themselves.

Protection measures must be geared towards the phenomenon of displacement related to criminal gangs and tailored to meet the needs of internally displaced persons. Gang-related murders are commonplace, while extortion puts every small business owner at risk in some neighbourhoods. Women and girls are murdered or experience threats, intimidation and sexual violence as a means of control by gang members. Families under threat are coerced into abandoning their homes with no hope of return. Internal displacement is a precursor to migration, as there are no viable options for internally displaced persons that provide safety, security and livelihood in Honduras. Either they are coerced to leave or make the pre-emptive decision to leave, entering into the orbit of "migrant" exploitation. Commonly labelled "economic migrants" by receiving countries, they face expedited deportation processes that do not take account of their genuine protection concerns.

* Reissued for technical reasons on 27 May 2016.

GE.16-05488(E)
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The Government of Honduras must strengthen legal, policy and institutional frameworks and take comprehensive and concerted action to tackle the root causes of displacement and protect the rights of internally displaced persons. Providing support and viable options for local integration or resettlement should form part of a strategy of durable solutions for them. Priorities must include tackling impunity and rebuilding trust in national institutions, including the police and the criminal justice system, which has been deeply eroded.

Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Honduras (23-27 November 2015)**

Contents

		Page
I.	Introduction	4
II.	Context and experience of violence-induced internal displacement in Honduras	4
III.	Displacement figures and patterns	7
IV.	Impact of violence on communities	9
V.	Impact on women, girls and the lesbian, gay, bisexual and transgender community	10
VI.	Legal, policy and institutional framework for the protection of internally displaced persons	13
VII.	Progress towards achieving durable solutions	15
VIII.	Internal displacement as a precursor to migration	16
IX	Regional and international challenges and responses	18
X.	Conclusions and recommendations	19

** Circulated in the language of submission and in Spanish only.

I. Introduction

1. The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Honduras at the invitation of the Government from 23 to 27 November 2015. He held consultations with senior Government representatives, as well as representatives of United Nations agencies, national and international civil society and non-governmental organizations (NGOs) and others. The Special Rapporteur takes the present opportunity to thank the Government of Honduras for its excellent cooperation with his mandate and to thank all of those government representatives who met with him and provided information.

2. The Special Rapporteur also met with the United Nations country team, including representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), who provided outstanding support to his mission and information relating to issues of internal displacement. He also visited victims of internal displacement and their representatives. He thanks in particular those community members, activists, teachers and representatives of civil society organizations who met with him and provided essential information. Working in affected communities, they are on the front line of efforts to prevent violence and tackle the root causes of gang membership.

3. The Special Rapporteur's visit focused on displacement caused by generalized violence, particularly by organized criminal gangs. This type of displacement falls within the scope of the 1998 Guiding Principles on Internal Displacement. He welcomes the important recognition by the Government that the problem of internal displacement exists in the country and its acknowledgement that the challenges it presents require research and concerted action to tackle its root causes that are related to criminal gangs and to protect the rights of internally displaced persons in line with international standards, including the Guiding Principles.

4. The Special Rapporteur encountered other concerns relating to internal displacement. He met with representatives of indigenous communities, who informed him of the threat of eviction from their lands, and the impact of business enterprises, extractive industries – particularly mining and logging – and development projects, which have led to their internal displacement. He notes the visit of the Special Rapporteur on the rights of indigenous peoples to Honduras from 2 to 10 November 2015. She conducted an in-depth analysis of the situation of indigenous peoples and will present her report to the Human Rights Council at its thirty-third session. Consequently, the Special Rapporteur on the human rights of internally displaced persons has not included an analysis of the internal displacement issues of indigenous peoples in the present report.

II. Context and experience of violence-induced internal displacement in Honduras

5. While the causes of internal displacement in Honduras are quite different from those resulting from conflict or disaster witnessed in other countries experiencing internal displacement, the impact on the lives of those affected is no less catastrophic. Community members described violence, threats and intimidation, killings of family members, extortion, sexual violence, murder of women and girls, and an environment of such fear and insecurity, often as a result of the activities of gangs known as *maras*, that they felt compelled to leave their homes for other parts of the country or, when their options in

Honduras had been exhausted, to seek safety outside the country. Many described a scenario and its impacts that were similar to those experienced in some conflict situations.

6. The main gangs are the Mara Salvatrucha (MS-13) and the Barrio 18 gangs, while others such as the Los Chirizos, West Side and the Mara 61 are more newly established. Gangs have existed in Honduras for many years and have been involved in a wide variety of criminal activities, including those related to drug trafficking and trade. While some, such as MS-13, originated among immigrant communities in the United States of America and still have a large presence there, actions by the United States authorities to address gang violence beginning in the early 2000s led to the deportation of many gang members. The gangs subsequently re-established their activities in Honduras, El Salvador and Guatemala, resulting in significant changes to gang operations and the level of violence in Honduras.

7. The gang members and structures are most heavily concentrated in the wider city districts of Tegucigalpa, San Pedro Sula and La Ceiba, with smaller concentrations in the municipalities of Choloma, Danlí and El Paraíso. Nevertheless, their networks and influence extend throughout the country.[1] While gangs are largely an urban problem, leading to most research being done in urban areas and municipalities, they have also reportedly established a strong presence in some rural areas.[2] The geographic location of Honduras makes it a transit corridor for drug trafficking from South America to the United States, which has inevitably brought with it criminal networks and structures, frequently involving gangs and gang rivalries.

8. Figures relating to gang membership are extremely difficult to assess and verify due to the nature of gang operations and different understandings of gangs and what constitutes membership. Figures vary widely even between national institutions, with the Honduran police estimating up to 25,000 members, while the National Programme for Prevention, Rehabilitation and Social Reinsertion puts the figure at only 4,728 active members, with a further 447 members in prison.[3] Alternative research suggests that Honduras has an estimated 116,000 gang members, taking into account the membership of all gangs.[4] According to UNICEF, over 4,700 girls, boys and young people belong to a gang in Honduras.[5]

9. Honduras has some of the world's highest homicide rates and unprecedented levels of general criminality, largely as a result of the *maras*. In 2014, the Government registered 66 murders per 100,000 inhabitants, down from 79 per 100,000 in 2013, and a peak of nearly 90 per 100,000 in 2012. The Government considers this to be evidence of the overall success of a strategy of enhanced security that included the deployment of military police in 2012.[6] However, some of the major urban gang areas have murder rates far in excess of the figures cited above, with San Pedro Sula experiencing 187 homicides per 100,000 residents

[1] According to research and analysis by the newspaper *La Prensa*, 60 per cent of the country's Mara Salvatrucha (MS-13) and Barrio 18 gang members are concentrated in three sectors of San Pedro Sula, with gang allegiance split fairly evenly (1,034 belong to MS-13, while the remaining 1,001 form part of Barrio 18). See Kyra Gurney, "A snapshot of Honduras' most powerful street gangs" (2 February 2015). Available from www.insightcrime.org/news-briefs/snapshot-of-honduras-most-powerful-street-gangs.

[2] InSight Crime and Asociación para una Sociedad más Justa, "Gangs in Honduras" (2015). Available from www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf.

[3] Cited in "Gangs in Honduras".

[4] Gurney, "A snapshot of Honduras' most powerful street gangs".

[5] Marcos González, "UNICEF-supported study sheds light on gangs in Honduras". Available from www.unicef.org/protection/honduras_65204.html.

[6] By comparison, the global average rate was less than 6 per 100,000, and the rate in the United States was less than 5 per 100,000.

in 2013 and 171 in 2014, the highest number of any city in the world. Unverified estimates suggest that 97 per cent of murders go unsolved, creating a level of impunity that encourages further killings.[7]

10. Control of territory has defined much gang activity and confrontation, particularly between the MS-13 and Barrio 18 gangs. The situation was frequently described to the Special Rapporteur as having similarities to territorial conflict, with the major gangs becoming more organized and establishing better systems of operations, communications and finances. The relatively similar number of members of both the MS-13 and Barrio 18 gangs means that neither has become numerically or territorially dominant, and has heightened the likelihood of inter-gang conflict.

11. In June 2009, democratically elected President Manuel Zelaya was ousted by the Honduran Army in the context of his attempts to revise the Constitution. Some commentators consider this to have had led to a significant increase in general levels of violence in the years since, and a legacy of social crisis, impunity and lawlessness, demonstrated in the narrowing of democratic space and the killing of journalists, human rights activists and opposition politicians. There exists an environment of societal distrust of government institutions, the police and military, and continuing corruption and impunity, in which criminality and criminal gangs have flourished.

12. Gangs seek to control territory and communities, and wield considerable power in the relative absence of an effective policing response. The primary responsibility of the State to prevent forced displacement and protect persons from displacement relating to criminal gangs is constrained. Despite Government claims that no territory is out of its control, numerous interviewees stated that *maras* have taken effective control of some neighbourhoods of cities, including Tegucigalpa and San Pedro Sula, imposing their own rules and curfews. It is evident that gang members can conduct their criminal activities with almost absolute impunity and that the criminal justice system is not fulfilling its role.

13. The impact of crime and gangs on young people is evident and disturbing. Violence against children has escalated sharply. In 2014, the media reported that 32 children had been murdered in Honduras in June of that year, bringing to 409 the number of people under the age of 18 killed since January 2013.[8] Some consider this escalation to be partly to blame for a massive increase in unaccompanied child migrants. In some neighbourhoods, children are easy prey for gangs and others involved in criminal activities. Even very young children may be coerced or forcibly recruited into the gang networks, even within schools, which may be infiltrated by gangs. Children are used as drug mules, to carry weapons or as "flags", or lookouts.[9] Parents feel that to escape the influence of gangs they must leave their homes.

14. In violence-affected neighbourhoods, high levels of violence are frequently combined with poverty, inequality and lack of opportunity, which are drivers of migration. Honduras is a middle- to low-income country, with more than two thirds of the population living in poverty and 5 people in 10 suffering from extreme poverty (2012 figures).[10]

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[7] Jeremy Relph, "Dispatch from Honduras: what it's like to live in the murder capital of the world", *Business Insider UK*, 30 October 2014. Available from http://uk.businessinsider.com/murder-capital-san-pedro-sula-2014-10?r=US&IR=T.

[8] Frances Robles, "Fleeing gangs, children head to U.S. border", *New York Times*, 9 July 2014. Available from www.nytimes.com/2014/07/10/world/americas/fleeing-gangs-children-head-to-us-border.html?_r=0.

[9] Research by *La Prensa* suggests that gang members typically start interacting with their gang at around the age of 7 and have been integrated into the group by about age 12.

[10] See www.worldbank.org/en/country/honduras/overview.

Deprivation and lack of opportunity, exacerbated by the presence of the gangs, creates an environment in which young people are particularly vulnerable to the influence of crime. Consequently, the increasing influence of the gangs is partly explained by socioeconomic conditions in the neighbourhoods in which they operate.

15. Extortion has reached epidemic proportions in many localities, in what is referred to by the gangs as a "war tax" imposed on small-business owners, bus and taxi drivers and ordinary citizens. In some cases, multiple demands for payment come from different gangs. Marketplaces in Tegucigalpa have been affected, as stall owners have left to avoid the threats and extortion of the *maras*. For many small businesses around the country, payment to the *maras* has become the only way to continue to operate. Non-payment often results in death, as the *maras* seek to make an example of any who defy them. Extortion has brought bigger financial resources to the gangs and a motivation to control ever larger amounts of territory.

16. Some sectors are particularly affected, including the transport sector, with bus and taxi workers being targeted for one-off and weekly payments. During the visit of the Special Rapporteur, a massacre of drivers took place near San Pedro Sula. According to reports, six men in flak jackets and ski masks got off a bus at a terminal outside the city and shot eight bus drivers one by one.[11] The shocking reality is that non-payment is not an option and those who cannot or refuse to pay have little option but to leave their homes in fear for their lives. A staggering 174 public transportation drivers were killed in 2014, according to the Government. In the first three months of 2015, 34 were killed.[12]

17. The National Anti-Extortion Force was established in 2013 to address the problem. According to the Force, extortion from small businesses and individuals amounts to $200 million annually, while the Chamber of Commerce and Industry of Tegucigalpa estimated that extortion has led to the closure of 18,000 (mainly small) firms and the loss of 72,000 jobs.[13] Extortion has frequently been conducted from inside the prison system. Some prison facilities are under the de facto control of the gangs; recent measures to exert greater control over the prison system have been aimed at curbing extortion activities. The Force has used the slogan "I don't pay, I denounce"; however, it is unclear the extent to which victims have faith in law enforcement mechanisms to protect them.

III. Displacement figures and patterns

18. In 2014, the Inter-Institutional Commission for the Protection of Persons Displaced by Violence, a newly established body, began a research process to ascertain the trends relating to internal displacement, along with its causes, victims and consequences. Under the leadership of the Commission, an inter-agency coordination and participation framework was created, supported by government and civil society institutions and UNHCR, with technical support from the Joint IDP Profiling Service. Civil society organizations, academia, international bodies and the United Nations were also a part of this advisory

[11] An additional seven people were killed in a separate incident in Tegucigalpa in which they were pulled from their homes and shot. See "Fifteen killed in Honduras in two separate massacres", 25 November 2015. Available from www.theguardian.com/world/2015/nov/25/fifteen-killed-in-honduras-in-two-separate-massacres.

[12] Ibid.

[13] Arthur Dhont, "Tougher sentences in Honduras unlikely to reduce gang activity, including murder and extortion", *IHS Jane's 360*, 10 August 2015. Available from www.janes.com/article/53605/tougher-sentences-in-honduras-unlikely-to-reduce-gang-activity-including-murder-and-extortion.

group. The objective was to inform a process for providing reliable and agreed-upon information on internal displacement in Honduras in order to promote the design and implementation of a suitable institutional response.

19. The outcome of the project was a report entitled "Characterization of internal displacement in Honduras". The report was officially launched on 23 November 2015 in the presence of the Special Rapporteur, who welcomed it as an essential and timely analysis that provided the statistical and empirical foundation upon which to build a national policy and action plan to help respond to the phenomenon of internal displacement in Honduras.

20. The report covered 20 of the most affected municipalities in the country and found that some 174,000 persons (around 41,000 households) were internally displaced, while acknowledging that the actual number could be higher throughout the country. Those figures represented 4 per cent of the total households in the selected municipalities.

21. The research found that, for 67.9 per cent of internally displaced households, persecution and insecurity were the only determining factors of their displacement. The main reasons given for leaving were an unsafe community,[14] threats, murder, injury, extortion and sexual violence. While 46 per cent of interviewees refused to identify perpetrators, 28 per cent blamed the *maras* directly for their decision to flee their homes.

22. The research found that most municipalities and departments of origin were also municipalities and departments of destination for internally displaced persons, demonstrating an intra-urban and intraregional pattern to much internal displacement. Some 97 per cent of those displaced in Distrito Central, 81 per cent in San Pedro Sula, 86 per cent in La Ceiba and 60 per cent in Choloma remained in the same municipality. This may be due to factors that include employment and access to services, and the fact that internally displaced persons with an urban profile prefer to relocate to urban areas and that large urban centres offer better anonymity. Internally displaced persons may remain in large cities that they know in order to preserve their family ties and social networks.

23. The households of internally displaced persons were likely to have a higher number of minors than comparison households, which supports anecdotal evidence that families with children may be likely to flee to protect them from recruitment into or the influence of violence and insecurity. Research in educational institutions and among gang members discovered a case in which "in just one school, 22 girls and boys dropped out because of threats from gangs".[15] As part of the study, gang members and former members revealed that most had joined between the ages of 11 and 20.

24. While a vital first step, the report leaves many questions unanswered and reveals numerous challenges that persist with regard to data, research and gaining a full picture of the internal displacement situation and dynamics, including where internally displaced persons are located, their needs and protection issues. There is a need for considerable further investigation in order for all partners to design appropriate responses and ensure service provision to the fullest extent possible. Providing assistance is extremely challenging until such core information is in place.

25. Many internally displaced persons are located with host families or friends, or in rented accommodation, and are therefore difficult to locate and reach with information or

[14] This classification refers to communities where violent events frequently occur, such as confrontations between gangs or massacres, or where inhabitants are exposed to risks because they live there (for example, communities where illegal armed groups exercise social and territorial control).

[15] Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de Maras y Pandillas en Honduras* (2011), p. 62.

assistance. In view of the nature of their displacement due to threats or violence, some are likely to seek to hide their locations and blend into urban centres where they can be anonymous and invisible to the gangs and the authorities. This makes access to them by authorities or national and international humanitarian organizations extremely difficult.

IV. Impact of violence on communities

26. The Special Rapporteur met with community activists, NGO representatives and teachers from districts around Tegucigalpa affected by gang-related violence. To ensure the safety of those who agreed to be interviewed, he did not travel personally to affected neighbourhoods. Their stories shed light on the impact of the *maras* and detailed a deeply worrying situation of gang influence in neighbourhoods and schools. "They weaken the very system that improves our communities," stated one interviewee. Some noted that previously their concerns had focused on high rates of poverty but that in recent years attention had turned to the impact of violence and displacement, while poverty and unemployment concerns remained.

27. The *maras* cultivate an environment of fear to exert control over territories and entire populations and wage war against rival gangs for the control of territory. Those who were interviewed described the abandonment of homes by families, provoked by gangs, which would happen overnight and without notice, as families decided to move to escape the threats or influence of the gangs on their family members. One person stated: "Many displaced don't know where they are going. We don't know where they go. Your life is at risk so they fear to tell us. Children grow up in an environment of violence." In one area community members estimated that 30 per cent of the population had abandoned their homes, which were then used or appropriated by gang members.

28. Interviewees described their lack of confidence in the police or other Government bodies. Few would bring a complaint for fear of retaliation. One teacher stated "We don't have support from the State. We cannot trust the police so we don't call them." When asked why, one interviewee stated: "Our neighbourhood had its own police station and the police used to lend their uniforms to the *maras*. They would go to people's homes and steal valuables or torture people." One person stated: "If you present a claim to the police, gang members find out. You can't even approach the police or they will think you are talking about them and kill you or have you killed. The gangs always find out."

29. Another resident described gang members hiding in her home when police conducted a search of the neighbourhood, and the fear that her family would be considered accomplices of the gangs. "We are in danger from the gangs and the police," she stated. Another relayed a story of gang members who had come to her house. "My husband thought they had come to kill us. Now he is ill from stress. It is terrible to live where we live."

30. One teacher described how it was unsafe for the school to call parents about the poor behaviour of a child because the child might have brothers in a gang. "It is not safe to fail a child in an exam since you may receive a visit from a gang member … If a child fails, the teacher is to blame." Children dropped out of school due to the influence of or recruitment by gangs, or because their families left the neighbourhood. Due to the gang control of territory, children could not live in one neighbourhood and go to school in another and no inter-school activities could take place across neighbourhoods. Some children just stopped going to school due to the risk. Even for the brightest children, the influence of the gangs was difficult to avoid.

31. Another teacher described a student coming to school with a gun and threatening teachers and students. Children became "mules" or "flags" for the gangs, carrying or hiding weapons in their school bags or reporting activity or the presence of police to gang

members. Teachers described feelings of fear, anxiety and stress that were making them ill, brought about by the conditions described and feeling helpless when *mara* members came into the schools. Even students who succeeded and entered professions might remain influenced by and connected to the *maras*.

32. When people fled to other countries and were forced to return to Honduras, they would not come back to their old communities on account of fear. Community members described the widespread extortion by gangs, known as a "war tax", and related killings when payments were not made. Business people left and it became impossible to open a small business because of the extortion that followed. Asked about the extent of the influence of the gangs, one interviewee stated that, out of eight houses in her block, four were "healthy" and four were "contaminated" by the gangs. Even where there was one gang member in a locality, "others around absorb the culture of that boy," stated one resident. "Very few families have not been affected. Twenty criminals can terrorize 800 people."

33. Nevertheless, community representatives described their hopes that things would improve in the future. Some young people had succeeded despite the challenges and gone on to university. However, the representatives highlighted the fact that the activities of the gangs blighted their lives and neighbourhoods in other, indirect ways. There was little employment in the gang-controlled neighbourhoods and discrimination against those who lived in them. For example, when people sought employment elsewhere, they would not be hired if it was known where they lived.

V. Impact on women, girls and the lesbian, gay, bisexual and transgender community

34. Killings of women and girls increased 355 per cent in the 10 years to 2012, compared with a 97.6 per cent growth in total homicides over the same period. There were 606 femicides in 2012.[16] In 2013, the Observatory of Violence at the National Autonomous University of Honduras estimated that at least one woman was murdered every 13 hours, resulting in 629 total femicides.[17] In July 2014, the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, visited Honduras and stated that "violence against women is widespread and systematic", highlighting that there was a culture of impunity for crimes against women and girls, and that incidents of violence against women were on the rise. "A climate of fear, in both the public and private spheres, and a lack of accountability for violations of human rights of women are the norm,"[18] she stated.

35. Extremely high levels of domestic violence, femicide and sexual violence are causing women to flee in the knowledge that currently there is widespread impunity for the perpetrators and a criminal justice system which is failing them. While legislative, policy and programmatic measures taken by the Government to fight violence against women are welcome, including amendments to the Penal Code to incorporate femicide as a specific crime, they have done little to stem the rising tide of violence against women.

36. Women and girls frequently experience threats, intimidation and sexual violence by gang members, as well as threats to their family members if they refuse to comply. Some

[16] Figures available from www.resdal.org/seguridad/assets/resdal-index-2013-honduras.pdf.

[17] Dan Beeton, "The legacy children of the Honduran coup", *Al-Jazeera*, 28 June 2014. Available from http://america.aljazeera.com/opinions/2014/6/violence-in-hondurasunaccompaniedminorsimmigrationtous.html.

[18] A/HRC/29/27/Add.1.

displaced women are alone, without resources and extremely vulnerable to sexual abuse and violence and trafficking. Many who flee violence in their homes or communities fall prey to further violence, rape, abuse, exploitation and prostitution, either during their journey or in migrant destinations, including Mexico. It was evident after visits by the Special Rapporteur to centres for returned migrants in the vicinity of San Pedro Sula that no adequate protection systems are in place for such vulnerable women and girls.

37. The example of one anonymous 21-year-old woman whom the Special Rapporteur met was emblematic. She described being forced to leave her home after threats from the *maras* when she sought to help her brothers to leave a gang. Threats led her to seek to join relatives in the United States. She had been identified as an undocumented migrant in the course of her journey and returned to Honduras with few belongings and little or no money. She transited through a migrant return centre near San Pedro Sula and was fearful of returning to the city. Consequently, she was heavily reliant on those around her, including those from people-trafficking gangs. She reported that she had been sexually abused during her journey.

38. The young woman could not be placed in a safe shelter facility due to her age (above the age to be admitted to youth facilities), her status as single without dependent children and the fact that it was known that she faced threats from the *maras*, which could create a risk to others. Incidents of violence by *mara* members had been recorded as they sought to remove or attack individuals seeking shelter in such facilities. As a result, few if any safe options were available to her other than to find options for safe relocation with relatives in other parts of the country. The gang networks throughout the country mean that relocation can rarely guarantee safety.

39. The incidence of domestic violence in Honduras is extremely high, and the number of cases of sexual abuse, rape and violence, both against women in areas controlled by gangs and against those who decide to leave along migration routes, is alarming. Representatives of women's groups in Tegucigalpa and San Pedro Sula described numerous cases of killings or women experiencing violence or threats and having to flee, often with their entire families. While "precautionary measures" can be put in place, one interviewee described them as "a target placed on our heads".

40. The Special Rapporteur was informed of a schoolgirl who was bullied by two girls who were expelled from the school. The expelled girls had boyfriends who were gang members. The girl was subsequently raped and told she and her family must leave. The whole family left to try to travel to the United States. The extent of the control over women by gangs was emphasized by numerous people, who stated that in some neighbourhoods gangs had ordered women not to dye their hair blonde or to wear certain clothes associated with women members of a rival gang. All had conformed to the orders due to fear.

41. Research has identified the particular threat even to very young girls, aged between 12 and 15, in gang-controlled areas, whose parents are ordered to give them over as girlfriends for some of the gang leaders, leading them to decide to move to different communities, or even cities, to prevent those threats from being carried out.[19] Girls who join gangs may face extreme violence, including gang rape and beatings. If they try to leave the gangs, they may be killed or face threats that their family members will be killed. The children of gang members face a life in the gangs that it is almost impossible for them to leave without fleeing the country.

[19] Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de Maras y Pandillas en Honduras*, p. 62.

42. Victims of gender-based violence can file complaints with the police, the National Human Rights Commission, the Office of the Public Prosecutor or the Municipal Offices for Women. However, even when the perpetrators are well known, few will denounce them to the police for fear of reprisal. Some stated that the deployment of military police in communities created an even greater threat to women, as there were allegations of the involvement of such police in sexual abuse. One case of rape was reportedly brought against a member of the military police. However, any cases against military personnel are heard by military courts, so there is no confidence when it comes to bringing a complaint.

43. The National Women's Institute is the central body responsible for the implementation of policy on women's rights and gender. Representatives informed the Special Rapporteur that to date their women's protection focus had been on migrants and victims of domestic violence, and that numerous initiatives existed in those areas. While consultations with women's groups were reportedly held in different localities and policy developments were under way, there were few protection measures in place specifically to address women affected by gang violence. Indeed, women connected to the *maras* were perceived as a potential risk to security in shelters for victims of domestic violence, and some centres had witnessed attacks in the past.

44. Nevertheless, some initiatives are in place to address the challenges facing women and attempt to create safer environments. A "safe cities" programme, supported by UN-Women and implemented with national partners, is aimed at replicating successful projects in Guatemala and El Salvador. The projects involve implementing practical measures to increase women's safety in urban spaces and prevent violence against them. The measures include raising public awareness, promoting women's active citizenship, training local women to serve as programme advocates, mapping unsafe spaces, and advocating with local police and officials to raise their awareness of issue of gender-based violence and include a gender perspective in municipal plans and procedures.

45. In the context of the "safe cities" initiative, UN-Women supported the development of the citizen safety agenda for women in Honduras. This tool was used to influence local government in Tegucigalpa to build a local plan on citizen security, taking into consideration women's rights. UN-Women and UNDP supported the National Institute for Women in developing an information system to register cases of violence against women and girls. Municipal Offices for Women have developed operation manuals with an emphasis on addressing violence against women and girls. In 2014, UN-Women provided technical support to the National Institute for Women to publish the national plan to end violence against women.

46. The Special Rapporteur met representatives of the lesbian, gay, bisexual and transgender community, who face particularly threats and violence due to their sexuality, which makes them frequent targets of hate crimes. Civil society groups reported 216 deaths of members of that community as a result of hate crimes since 2004, with fewer than one in five cases (19.9 per cent) resulting in prosecution. One representative highlighted that the community feared violence both from gangs and from the police. She stated that "for them to present a complaint can be a death sentence". Consequently, while accurate figures are unavailable, members of the lesbian, gay, bisexual and transgender community are particularly vulnerable to displacement. Once displaced, they remain at heightened risk, extremely vulnerable to abuse and violence, and require dedicated protection measures.

VI. Legal, policy and institutional framework for the protection of internally displaced persons

47. Honduras currently lacks a law or policy on internal displacement. Such a law is essential to fully addressing its causes and related challenges, establishing the rights of internally displaced persons in national law, identifying responsibilities and governance structures and putting national budgets in place. It was noted by the Inter-Institutional Commission for the Protection of Persons Displaced by Violence that steps were being considered with regard to developing such frameworks and including forced displacement as a crime in a new criminal code; however, dedicated legal and policy frameworks would help to guide national responses and engage all relevant institutions in a comprehensive plan of action to combat internal displacement.

48. The Special Rapporteur emphasized that progress should be made quickly to establish a law on internal displacement and to address the situation of internally displaced persons, which would provide concrete assistance and protection measures. He welcomed an undertaking by the Government at the conclusion of his visit that it would begin drafting a law during 2016 and that it would seek the assistance of the Special Rapporteur and other international partners.

49. The Inter-Institutional Commission for the Protection of Persons Displaced by Violence was established in late 2013 through Executive Decree PCM-053-2013, comprising several government agencies and civil society organizations.[20] Its main objectives are to "promote the creation of policies and the adoption of measures to prevent forced displacement because of violence, as well as to care for, protect and find solutions for displaced persons and their families". One of its main responsibilities is to "promote research into the trends, causes and actors leading to forced displacement because of violence and crime, the most affected areas and communities, its victims and the social, economic, legal and political consequences that they create".

50. The Special Rapporteur welcomes the creation of this dedicated commission, with the Ministry of Human Rights, Justice, Governance and Decentralization as the lead Government body, as a positive practice in developing institutional structures and necessary coordinated ministerial attention to internal displacement. However, he notes that it remains largely a policy, research and advisory body with no operational functions to date. As such, it is not equipped to fulfil the need for additional measures to protect and care for internally displaced persons. The role of non-governmental actors, including national and international NGOs and humanitarian organizations, must be acknowledged. To date, the Government remains heavily reliant on such organizations as implementation and operational partners.

51. To deal with the phenomenon of gangs and gang violence, in 2001 the Prevention, Rehabilitation and Social Reintegration Act was adopted by Legislative Decree No. 141-2001 of 2 October 2001, with a view to preventing the causes that lead individuals to join gangs and to rehabilitating and reintegrating them into society. The Act also created the National Prevention, Rehabilitation and Social Reintegration Programme as the Government entity responsible for this issue. Amendments to the Criminal Code (article 332 of the Criminal Code on unlawful associations) were adopted in 2003 to criminalize illicit association, as part of a zero-tolerance, "iron-fist" (*mano dura*) approach, effectively criminalizing gang membership. Some have criticized this approach for criminalizing the

[20] Inter-Institutional Commission for the Protection of Persons Displaced by Violence, "Characterization of internal displacement in Honduras" (2015). Available from www.jips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf.

actions of some vulnerable persons, including women, who are coerced or forced into gang membership.

52. The Government has taken further steps under President Juan Orlando Hernández Alvarado, who took office in January 2014. In July 2015, the parliament of Honduras approved reforms to the penal code, introducing harsher penalties for members of the *maras*, increasing the maximum prison terms for gang leaders (from 30 to 50 years) and for lower-level members (from 20 to 30 years).[21] Congress adopted a decree in 2014 as a part of the anti-bullying law and efforts to eradicate all forms of violence in schools, which was aimed at penalizing the distribution of arms to children and the recruitment of children by gangs.

53. The National Inter-Agency Task Force was created in 2014. Its objective is to promote and ensure coordination across relevant government bodies and institutions, including the Honduran military, national police, investigators, judges and intelligence and other relevant government offices, in a "whole-of-government" approach to organized crime and insecurity in the country.[22] In addition, a number of specialist elite police units have been created, including the *Tigres*, intelligence and special security response units.

54. The Military Police of Public Order, composed of some 3,000 specially trained military personnel, was created in August 2013 with a mandate to combat the activities of street gangs and organized crime and regain control of gang neighbourhoods. Members receive specialist training, and some receive additional training in specialties such as crime scene investigation and human rights. They are also reportedly monitored and evaluated on a regular basis. Strongly supported by the President, the continuation of the mandate and deployment of the Military Police of Public Order as part of a strategy of zero tolerance of gang crime is controversial and may rely on a referendum.

55. Community members highlighted that their trust in the police had broken down completely. This is a matter that requires urgent attention. Victims do not bring cases to the police because they believe that there will be no proper investigation or that no action will be taken, and due to their legitimate fears that gangs or other criminals have connections to the police and that reporting crimes against them may put their safety or lives at risk. Some noted that a hardline approach to security had simply changed the tactics of gangs, strengthened their networks regionally and, in some cases, led to an even more violent response by the gangs.

56. The Special Rapporteur met with the Minister of Security and Director of the National Police, who informed him of programmes under way to reform and strengthen the police in terms of numbers, training and capacity, including through new investigation and community policing units and strategies that were "above suspicion". The new developments would include the hiring and specialist training of hundreds of criminal investigation police and the creation of 20 mobile laboratories for field investigations. In addition, two criminal labs would be established, in Tegucigalpa and San Pedro Sula, to significantly enhance the investigative capacity of the police.

57. The Special Rapporteur was informed that a philosophy of "service" was aimed at rebuilding trust in the police. Measures to be introduced included community policing (from January 2016), in which 2,000 specially trained police would develop strong links with communities through regular patrols and the permanent presence of police in "conflict

[21] Dhont, "Tougher sentences in Honduras unlikely to reduce gang activity".

[22] Evan Ellis, "Innovation in the fight against gangs and narcotrafficking", *Latin America Goes Global*, 24 September 2015. Available from http://latinamericagoesglobal.org/2015/09/honduras-innovation-in-the-fight-against-gangs-and-narcotrafficking.

areas". The police numbers would rise from 12,500 to 27,000 by 2017. Proposed reforms to the law on the national police and police recruitment and careers were aimed at better regulating career development, training, salaries and conditions to reduce police involvement in crime. There reportedly had been a 56 per cent increase in police budgets in 2015 to professionalize and strengthen the service. The Special Rapporteur welcomed such positive steps, while noting that they must be implemented in close consultation with traumatized communities.

58. Numerous stakeholders emphasized that communities did not want greater militarization of their neighbourhoods, as they frequently perceived the police, as well as the military police, as an additional threat rather than as a creator of conditions of security. The Special Rapporteur was informed of cases of murder, intimidation, sexual abuse and extortion carried out by security forces whose job it was to protect the public. He was informed by the authorities that the use of military police and the militarization of society were emergency measures that utilized resources available at the time and would be phased out as police reforms were made, reducing the military presence on the streets.

59. Addressing the wider gang culture that exists in Honduras and the reasons why young people enter gangs is essential in the short, medium and long term. The Special Rapporteur was informed of initiatives to undermine the influence of the *maras*. The Guardians of Honour programme for 50,000 boys and girls in communities affected by violence is aimed at preventing recruitment, in collaboration with community leaders. The National Prevention, Rehabilitation and Social Reintegration Programme carries out the "Starting Over" (*Borrón y Vida Nueva*) project, helping children, adolescents and young people to leave the *maras* through initiatives that include education, training and removal of gang identification tattoos.

VII. Progress towards achieving durable solutions

60. Establishing a strategy to achieve durable solutions for internally displaced persons is essential and should be a key objective, recognizing that the displaced—whether they return to their homes, settle elsewhere in the country or try to integrate locally—usually face continuing problems, requiring support until they achieve a durable solution to their displacement. According to the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons,[23] a durable solution is achieved only when internally displaced persons no longer have any specific assistance and protection needs linked to their displacement and can enjoy their human rights without discrimination on account of their displacement.

61. Research conducted for the "Characterization of internal displacement in Honduras" report indicated that only 3 per cent of households identified "returning to previous place of residence" as their preferred option of future residence. This is different from many internal displacement scenarios in which return is the desired objective for many, and demonstrates clearly the chilling impact of the gangs and generalized violence on prospects for return, as well as perceptions that the problems preventing return are unlikely to be resolved within the foreseeable future. In situations of displacement caused by violence, such durable solutions require assurances of protection from violence or the removal of the threat of violence.

[23] The Brookings Institution – University of Bern Project on Internal Displacement, "IASC Framework on Durable Solutions for Internally Displaced Persons" (Washington D.C., 2010). Available from www.unhcr.org/50f94cd49.pdf.

62. The Special Rapporteur was pleased to learn of some initiatives to address the root causes of violence that relate to persistent poverty, lack of employment opportunities and social and economic stagnation. Such initiatives include a national poverty reduction strategy. While recognizing that these measures will prove effective only in the medium to long term, he believes that they are nevertheless vital to creating the economic and social stability and conditions necessary to reduce the influence of the gangs and provide alternative options for young people who may otherwise join them.

63. Measures in the area of social policy and development, including measures to provide employment and livelihood opportunities and to tackle high poverty rates, are also essential, both immediately and in the medium and long term. Ending violence and eliminating the pervasive presence and impact of gangs require holistic solutions that take into account the complexity of the challenge and its requirement for multifaceted responses. Such solutions should take into account, among other things, how recruitment into gangs is undermined when young people have alternative and better options available to them.

VIII. Internal displacement as a precursor to migration

64. With few safe options for resettlement in Honduras and a lack of any protection, support and assistance nationally, many internally displaced persons make the decision to leave the country. Internal displacement has become a precursor to migration along well established migrant routes through neighbouring countries, with the United States often the ultimate objective. Many use "coyotes", or people smugglers, who for around $7,000 assist people in evading immigration authorities.

65. The label "economic migrant" is too often and too quickly applied and yet does not take into account the unique circumstances of threat, fear and lack of options facing internally displaced persons who decide to leave Honduras. While it is acknowledged that many people turn to migrant routes for economic and other reasons, including family reunion, it must also be recognized that many are victims of the culture of violence and fear in Honduras, with legitimate protection issues. A distinction must be recognized for those whose movement is based on a well-founded fear of violence against them that leads them to flee their homes.

66. In 2014, nearly 70,000 minors, most from the Northern Triangle of Guatemala, Honduras and El Salvador, were apprehended at the United States-Mexico border in what was widely called a child migrant crisis. As unaccompanied minors, they face different regulations and procedures by the Customs and Border Protection agency, and would potentially be allowed to stay in the United States; consequently, they are frequently sent alone. The minors are held in shelters while a search is conducted for family, a sponsor or a foster parent. Many apply for asylum or special protective status.[24]

67. Inevitably, the majority who try to reach the United States are detained and deported. Between 2010 and 2014, there were 301,000 Hondurans deported from Mexico and the United States. In 2015, 65,000 Hondurans were deported, over 5,000 of whom were minors. Many who return have exhausted their resources and face a precarious future, since they fear returning to their former neighbourhoods and lack the resources needed to settle elsewhere in Honduras. This contributes to a cycle of poverty and migration that becomes increasingly more desperate and dangerous as resources and options dwindle. It may lead

[24] Associated Press, "Obama calls child migrants an 'urgent humanitarian issue'", 2 June 2014. Available from http://america.aljazeera.com/articles/2014/6/2/obama-child-immigrantsalone.html.

women into prostitution, trafficking or other forms of exploitation, while there are many protection concerns with regard to the movement of unaccompanied minors.

68. The numbers of returnees are such that reception centres have been established to provide basic processing and assessment. The Special Rapporteur visited centres for returned migrants, including the Omoa and El Edén centres near San Pedro Sula. Staff informed him of their work to assist those newly returned to Honduras. The centres are geared towards basic processing of returnees and incorporate brief medical and welfare checks and provision of basic foodstuffs, non-food items and short-term assistance. A large proportion of those who pass through are people affected by violence, in some cases unaccompanied adolescents and children. The services are commendable and demonstrate collaboration between Government ministries, civil society and United Nations agencies.

69. Nevertheless, the centres are insufficient to adequately identify persons displaced by violence or who have immediate and ongoing protection concerns. Even when protection concerns are identified, there are few if any assistance measures available, either within the reception centres or elsewhere. Consequently, those with serious protection needs remain largely unsupported and on their own. Staff noted their frustration at seeing potentially vulnerable persons, including single young women, but lacking the capacity or options to refer them to a wider support framework. Some noted that known gang members or their associates would be identified on buses or around the reception centres.

70. The Special Rapporteur urged the Government to take concrete steps to address this protection gap, including, for example, the provision of secure temporary shelter for internally displaced women and girls at risk of violence. Currently, there are few such essential support facilities in place in the country. Where people feel that they are unable to return to their places of origin due to fear of violence or other factors, it is necessary for the Government to develop more comprehensive options for local integration or relocation and resettlement in other parts of the country as part of a strategy of durable solutions for internally displaced persons.

71. The threat to some of those forced to return is real. Media reports have detailed evidence of cases in which those deported from the United States or Mexico to Honduras have been killed by gangs within days or weeks of their return.[25] While recognizing that each year many people are granted asylum in the United States and other receiving countries, research conducted in 2014, and based on media reports, identified some 35 Hondurans who had been killed soon after returning to the country. United States officials confirmed that criminal activity in their home countries was not considered grounds for individuals to claim asylum.[26]

72. In recognition of the problem, in January 2016 the United States Government announced an expanded refugee admissions programme for Central Americans fleeing violence.[27] Nevertheless, human rights groups cautioned that the programme would accept only a limited number of people and warned that a process of "expedited removals"

[25] Sibylla Brodzinsky and Ed Pilkington, "US government deporting Central American migrants to their deaths", *The Guardian*, 12 October 2015. Available from www.theguardian.com/us-news/2015/oct/12/obama-immigration-deportations-central-america.

[26] To establish eligibility, a person must prove that he or she is either the victim of past persecution or has a well-founded fear of future persecution. In the case of past persecution, a person must prove that he or she was persecuted on the grounds of race, religion, nationality, political opinion or membership in a particular social group.

[27] Julia Edwards and Arshad Mohammed, "U.S. to expand refugee program for Central Americans fleeing violence", 13 January 2016. Available from www.reuters.com/article/us-usa-refugees-centam-idUSKCN0UR29520160113.

continued to be in place for those from Honduras and other Central American countries that ignored legitimate safety concerns expressed by some of those detained.[28] As detailed in a Human Rights Watch report, a "cursory screening is failing to effectively identify people fleeing serious risks to their lives and safety".[29]

IX. Regional and international challenges and responses

73. Internal displacement in Honduras must also be understood in the context of wider challenges facing the region, including the narcotics trade and the migrant and people trafficking routes between Central and North America. Consequently, solutions must also involve regional and international partners working together to prevent and address criminality and promote economic and social stability and development. The Special Rapporteur was encouraged to learn of regional initiatives by Northern Triangle States and migrant receiving countries to cooperate to combat crime, including gang-related crime and people trafficking, and to promote economic and social development.

74. Government representatives frequently referred to a regional initiative, the Alliance for the Prosperity of the Northern Triangle,[30] under which Northern Triangle countries agreed a set of guidelines and a plan to promote prosperity and create development conditions that will allow people to remain in their countries. The strategic actions of the Plan are aimed at (a) stimulating the productive sector to create economic opportunities; (b) developing opportunities for the people; (c) improving public safety and enhancing access to the legal system; and (d) strengthening institutions to increase people's trust in the State. The plan constitutes a macro-level economic initiative involving cooperation across the three countries concerned. The Brazil Plan of Action (December 2014), in its chapter 4, also acknowledges the regional dimension of displacement by organized crime, recognizing the need for action to prevent displacement and promote durable solutions.[31]

75. United Nations agencies are a key humanitarian partner of the Government in its response to the internal displacement situation. UNHCR has signed an agreement with the Government of Honduras and the Central American Integration System, made up of the seven countries of the region plus the Dominican Republic, to improve protection and assistance for people displaced by criminal violence.[32] The Central American Security Strategy, of which Honduras is a partner, coordinates initiatives that are aimed at combating criminality in the region. It promotes sustainable human development through investment and activities related to its components, crime reduction, violence prevention, rehabilitation, reintegration and institutional strengthening.[33]

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[28] Human Rights Watch, *"You Don't Have Rights Here": US Border Screening and Returns of Central Americans to Risk of Serious Harm* (2014). Available from www.hrw.org/report/2014/10/16/you-dont-have-rights-here/us-border-screening-and-returns-central-americans-risk.

[29] Ibid.

[30] "Plan of the Alliance for Prosperity in the Northern Triangle: a road map" (2014). Available from http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238.

[31] Available from www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/BDL/2014/9865.

[32] See www.internal-displacement.org/americas/summary.

[33] Secretariat General of the Central American Integration System, Central American Security Strategy (2011). Available from www.europarl.europa.eu/meetdocs/2009_2014/documents/dcam/dv/ca_security_s_/ca_security_s_en.pdf.

X. Conclusions and recommendations

76. Internally displaced persons remain invisible victims of the generalized and gang-related violence in Honduran society. The picture painted by many government and non-government actors and community members reveals the extraordinary and pernicious influence of gang-related violence on whole communities, as gangs battle for territorial control and social control over the communities that they seek to dominate through violence, extortion and threats. The extent of the violence and its impact in terms of deaths and displacement have parallels with some conflict situations, yet a lack of resources and attention means that most internally displaced persons are left to fend for themselves.

77. The Government is commended for recognizing internal displacement as a grave human rights concern requiring urgent action. Few concrete measures are yet in place to assist and protect internally displaced persons, and Honduras remains in the planning phase of its responses. However, it has demonstrated political will and can become a leader in the region if it takes the necessary next steps. The establishment of the Inter-Institutional Commission for the Protection of Persons Displaced by Violence brings attention to the issues and begins the essential task of formulating law, policy and strategies to confront them. Such steps must be quickly matched by concrete action on the ground.

78. The Guiding Principles on Internal Displacement provide essential legal principles, standards and guidance to States on their treatment of internally displaced persons. The Special Rapporteur welcomes the undertaking of the Government that it will draft a national law on internal displacement, in line with the Guiding Principles, with technical assistance from his mandate and other national and international partners. Durable solutions are key to preventing internally displaced persons from leaving the country. Building on the principles contained in the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, such solutions require the provision of secure and viable options for return, local integration or resettlement elsewhere in the country, including housing, livelihood and protection.

79. The story behind the migration from Honduras is often only partially told. While the common presumption is one of poor economic migrants seeking a better life abroad, the reality for many is violence or the threat of violence against them or their families, which means migration is a necessity and not a choice. Many enter into an ever deteriorating orbit of migrant exploitation and increasing vulnerability as their resources and options dwindle.

80. The Special Rapporteur considers that concern over violence and gang activity demonstrated by national Governments in the region has not been translated into an explicit acknowledgment by them of internal displacement as a human rights violation, its impact on those affected and its role in the dynamics of regional migration. Consequently, internally displaced persons are not provided with the protection and support to which they are entitled and immigration and asylum policies and practices fail to live up to international standards required for those fleeing violence or persecution.

81. The Special Rapporteur makes the below recommendations to the Government and other national, regional and international actors.

82. A clearer understanding of what constitutes internal displacement due to violence and who is an internally displaced person is necessary yet currently lacking. A national protection framework, including an assessment, verification and registration

mechanism, operating on inclusive principles, should be established and necessary information made available nationally.

83. Legal, policy and institutional measures to address internal displacement must take into account all forms of displacement in Honduras, including displacement caused by violence and other factors affecting diverse communities and indigenous peoples. In this regard, the Special Rapporteur welcomes the forthcoming report of the Special Rapporteur on indigenous peoples.

84. Additional research is required to build a comprehensive picture of the internal displacement situation; identify trends, patterns and risk profiles; and understand the needs and intentions of internally displaced persons. The impact of internal displacement and the provision of support to internally displaced persons on host families should also be considered and evaluated, with assistance provided where necessary.

85. Based on a law on internal displacement, a national policy to prevent and respond to all forms of internal displacement should be formulated at the earliest opportunity, in accordance with the Guiding Principles on Internal Displacement and under the coordination of the Inter-Institutional Commission for the Protection of Persons Displaced by Violence.

86. The Commission is an important national focal point; however, its capacity should be strengthened and it should have an appropriate budget and secretariat in place to allow it to function effectively. Its mandate should be enhanced or an additional dedicated body should be created, with operational functions and necessary powers and resources, responsible for implementation of legal and policy provisions relating to internally displaced persons.

87. The Government must become operational as well as policymaking and ensure that sufficient resources are devoted to project and programme implementation. To date, there has been an overreliance on civil society organizations as implementing partners. The essential work of national and international organizations should be better supplemented and supported.

88. Appropriate budget lines should be created in order to implement policy measures and responses to the fullest extent possible. While the national Government should take the main responsibility for funding, it must cooperate closely with regional and municipal counterparts and ensure that funding and support are made available to them for municipal activities.

89. Locating and providing information to internally displaced persons can be challenging, since they are dispersed throughout the country, outside of any formal collective facilities, travel along migrant routes and frequently seek anonymity due to the threats that they may face.

90. A national information campaign should be conducted to offer guidance, basic legal principles and information relating to services available. In order for them to claim their rights, internally displaced persons must be aware that they are victims of violations of their human rights and of their entitlements under national and international law and standards. Including forced displacement as a crime in the criminal code will be an important step in this regard.

91. Helplines should be established as a first means of interaction between internally displaced persons and national or local authorities. Regional assessment and registration offices should also be established in major urban areas where research has identified large numbers of internally displaced persons.

92. Establishing a comprehensive strategy to achieve durable solutions for internally displaced persons should be a high priority of the Government and its development partners. The aims of such a strategy must go beyond the provision of temporary assistance and require holistic, inter-agency approaches to housing, livelihoods, service provision and protection. Regional and international partners, internally displaced persons themselves and civil society partners working to support them should play a full role in the design, planning and implementation of such approaches.

93. Internally displaced persons abandon houses and property without making official complaints to the authorities due to fear of retribution. A confidential system should be established to register abandoned homes or property that would enable a legal process to provide redress to such persons. A strategy for durable solutions should include legal processes for the restitution of property or compensation if restitution is not possible by the competent authorities.

94. The current migrant reception centres are functioning for returnees; however, they are currently inadequate when it comes to identifying those facing serious protection concerns. In view of their vital front-line role, this capacity should be enhanced with the objective of their acting as referral bodies able to process individuals and families into a wider verification, support and protection framework where necessary.

95. The Special Rapporteur was alarmed by the influence of gangs over communities, schools and children. Urgent steps are required to improve and guarantee security for students and teachers in schools. Any measures taken will require close consultation with teachers and, where necessary, specially trained staff and security measures within or in close proximity to schools.

96. Given the environment of fear and threats, close consultation with and the participation of internally displaced persons and communities are essential in order to ensure that any measures of an individual or collective nature meet the needs of internally displaced persons or violence-affected communities without putting them at additional risk. Protective measures, including witness protection, should be closely tailored to the needs and risk profiles of such communities.

Policing and security

97. The work and accomplishments of the police and security forces, despite the grave challenges that they face, must be acknowledged and commended. Steps to build the capacity of the police, incorporate new modalities and working practices, and increase investigative capacity are welcome. Communities must feel that the police and other security personnel are there first and foremost to protect them in the face of threats, violence and intimidation—as a service, not as a force to be feared.

98. Where trust has been eroded, rebuilding community confidence in the police and the judicial system is critical and requires a thoroughgoing review of policing practices and structures. Where crimes have been committed by serving officers, dismissals and prosecutions are essential to rebuilding trust and must be conducted by civilian courts rather than military courts or police tribunals.

99. The police must take all steps necessary to create a culture of service, integrity and professionalism based upon human rights standards and national law. Community-policing methodologies have proved effective elsewhere and should be utilized while ensuring sensitivity and full consultation with traumatized communities. Female police officers should be deployed as part of wider initiatives to prevent and address violence against women.

100. Failure to investigate and prosecute crimes has led to a culture of impunity, corrupt practice and fear, resulting in a breakdown of trust in the judicial system. This must be reversed through root-and-branch review and, where necessary, the reform of justice institutions that have failed to meet their responsibilities or lost the trust of those they serve.

Protection of women and girls

101. Dedicated, secure shelters and viable protection measures should be established for women and girls who have been internally displaced as a result of violence, threats or harassment by gangs or as a result of other criminal activity. Recognizing the particular risk posed to women and girls by gangs, these should be secure, policed facilities supported by specially trained female staff, and provide short and medium-term accommodation, as required.

102. National institutions for the protection of women should be strengthened and their budgets and capacity increased to enable them to go beyond policy development and to become operational, as well as to provide support to the excellent network of civil society partners working for the human rights and protection of women and girls.

103. Members of the lesbian, gay, bisexual and transgender community are targeted and experience disproportionate levels of threat and violence, in addition to widespread stigmatization and discrimination in society. As a first step, the Government should enhance its engagement with that community via those organizations working closely with its members and seek to create a viable protection process that recognizes the heightened risk facing some individuals.

Role of countries in the region and the international community

104. The regional dimensions of the problem of violence and internal displacement must be acknowledged, and appropriate international support should be provided to assist the Government of Honduras. It is struggling to cope with the impact of problems that have their root causes in factors that include the international drug trade, regional criminal and trafficking networks, and the legal and policy measures of other States in the region and migrant-receiving States such as the United States.

105. The principle of non-refoulement, the right not to be returned to a place where one would likely face threats to life, freedom or other serious harm, must be adhered to. It remains the case that being a victim of generalized crime in Honduras is not considered by the United States or other countries in the region to meet the criteria of "persecution" required for the granting of refugee status.

106. Immigration policies that fast-track Honduran and other Central American migrants for deportation should be reviewed to ensure that migrants have an adequate opportunity to claim asylum and receive adequate screening to assess their claims.

107. International partners are urged to remain closely engaged with Honduras, as well as the wider Northern Triangle region countries and migrant-receiving countries. The United Nations and the wider international community have an important role to play in preventing and responding to internal displacement as a human rights violation, including by providing technical assistance, funding and resources.